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October 27, 2022

BY ECF

The Honorable Denise L. Cote
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1910
New York, New York 10007

Granted.
Denise Cote
10/27/22

XBiotech, Inc. v. American Stock Transfer & Trust Co., LLC
(No. 22cv6251 (DLC) (S.D.N.Y.))

Dear Judge Cote:

I write on behalf of Defendant American Stock Transfer & Trust Company, LLC (“AST”), to respectfully request that the Court permanently seal a document we recently filed, which contains matter that we should have but inadvertently did not redact in accordance with Fed. R. Civ. P. 5.2(a). Plaintiff XBiotech, Inc. consents to and joins in this request.

Pursuant to Rule 1(A) of Your Honor’s Individual Practices in Civil Cases and Rule 21.7(b) of the Court’s ECF Rules and Instructions, we ask that the Court place under permanent seal ECF Doc. No. 21-1 that we filed in support of AST’s recent dismissal motion which motion the Court denied as moot on October 25, 2022. (ECF Doc. No. 26.) We further request that the Court permit us to file a redacted version of the document, attached hereto, in the public docket, pursuant to ECF Rule 21.7(c). The previously filed, unredacted document has been placed under temporary seal by the Court’s ECF Help Desk pending the Court’s order, pursuant to ECF Rule 21.7(a).

We regret burdening the Court with this matter and thank the Court for its attention.

Respectfully submitted,

David A. Berger

Attachment

cc: All counsel of record (by ECF and email)